CLAIMS

1. **(Original)** A pharmaceutical composition for treating an inner ear disorder, the composition comprising an agent that modulates glutamate-mediated neurotransmission or sodium channel function without causing significant clinical hearing loss associated with suppression of AMPA receptor-mediated signals.

2. **(Original)** The pharmaceutical composition of claim 1, wherein the agent inhibits pre-synaptic release of glutamate.

3. **(Original)** The pharmaceutical composition of claim 1, wherein the agent inhibits glutamate-mediated neurotransmission post-synaptically.

4. **(Original)** The pharmaceutical composition of claim 1, wherein the agent is a glutamate ionotropic receptor antagonist.

5. **(Original)** The pharmaceutical composition of claim 4, wherein the glutamate ionotropic receptor antagonist is an NMDA receptor antagonist.

6. **(Original)** The pharmaceutical composition of claim 5, wherein the NMDA receptor antagonist is selected from the group consisting of: D-AP5, MK 801, 7-chlorokynurenate, gacyclidine, and derivatives or analogues thereof.

7. **(Original)** A system for delivery of a drug to the round window membrane of the inner ear to treat an inner ear disorder, wherein the system comprises a sustained-release drug delivery device and a drug, and wherein the drug modulates glutamate-mediated neurotransmission without causing significant clinical hearing loss associated with suppression of AMPA receptor-mediated signals, and wherein the drug is delivered to the round window membrane over a period of at least 24 hours.

8. **(Original)** The system of claim 7 wherein the drug is an NMDA receptor antagonist.

9. **(Original)** The system of claim 8 wherein the NMDA receptor antagonist is selected from the group consisting of: D-AP5, MK 801, 7-chlorokynurenate, gacyclidine, and derivatives or analogues thereof.

10. **(Original)** The system of claim 8 wherein the drug delivery device comprises a pump

11. **(Original)** The system of claim 8 wherein the drug delivery device comprises a catheter.

12. **(Original)** The system of claim 8, wherein the drug is delivered at a rate of from about 0.1 mg per hour to 200 mg per hour for a period of at least 24 hours.

13. **(Original)** The system of claim 8, wherein the drug is delivered to the round window membrane of the inner ear for a period of at least about 3 days.

14. **(Original)** A method for treating an inner ear disorder in a subject, the disorder being caused by aberrant glutamate-mediated neurotransmission, the method comprising:

administering to a round window membrane of a subject suffering from an inner ear disorder, a formulation comprising an agent that modulates glutamate-mediated neurotransmission or sodium channel function, thereby treating the inner ear disorder in the subject,

wherein administration results in passage of the agent through the round window membrane and into the inner ear of the subject to provide modulation of glutamate-

mediated neurotransmission without causing significant clinical hearing loss associated with suppression of AMPA receptor-mediated signals.

15. **(Original)** The method of claim 14, wherein the agent is an NMDA receptor antagonist.

16. **(Original)** The method of claim 15, wherein the NMDA receptor antagonist is selected from the group consisting of: D-AP5, MK 801, 7-chlorokynurenate, gacyclidine, and derivatives or analogues thereof.

17. **(Original)** The method of claim 14 wherein the agent is delivered to the round window membrane of the inner ear for a period of at least about 3 days.

18. **(Original)** The method of claim 14, wherein the agent is delivered at a rate of from about 0.1 mg per hour to 200 mg per hour, continually, for a period of at least 24 hours.

19. **(Newly Added)** The method of claim 14, wherein the inner ear disorder comprises tinnitus.

COMMENTS

Claims 1-19 are pending. Claims 1-18 have not been amended. Claim 19 is newly added, but does not add new matter.

Lack of Unity Objection:

Claims 1-19 are objected to for Lack of Unity, and an election of one of Groups I-III is required.

Applicants elect Group III, claims 14-19, with traverse.

Applicants traverse as follows. The Office argues that the inventions listed as Groups I-III do not relate to a single general inventive concept because they lack the same or corresponding special technical features. OA at 3.

However, the expression "special technical features" means those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the parior art. PCT Rule 13.2.

Applicants note that the technical feature that fulfills the PCT requirements comprises a drug or agent that modulates glutamate-mediated neurotransmission or sodium channel function without causing significant clinical hearing loss associated with suppression of AMPA receptor-mediated signals. This technical feature is found in each of independent claims 1, 7, and 14, when these claims are each considered as a whole.

Additionally, Applicants note that not all members of the class of NMDA antagonists (such as those listed in US Patent 5,039,528) are useful in the practice of the invention. Only those NMDA antagonists that do not cause significant clinical hearing loss associated with suppression of AMPA receptor-mediated signals are useful in the practice of the present invention. Accordingly, the claimed invention is limited to those NMDA